

Application Serial No.: 10/687,875  
Attorney Docket No. 042013-0311336 (23446-016-401)

CUSTOMER NO. 00909

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT  
APPLICATION OF: Dominick Cirone  
SERIAL No.: 10/687,875  
ATTORNEY  
DOCKET NO: 042013-0311336 (23446-016-401)  
FILING DATE: October 20, 2003  
ART UNIT : 3727  
EXAMINER Tri M. Mai  
FOR: PROTECTIVE BAT COVER

NOTICE OF APPEAL

Mail Stop AF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA. 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.191, Applicant hereby appeals to the Board of Patent Appeals and Interferences from the Examiner's **June 30, 2004** Office Action. The pending claims have been twice rejected – once in the above-identified application, as well as in the parent application (U.S. Patent Application Serial No. 09/664,537, filed September 18, 2000, and issued on January 7, 2004 as U.S. Patent No. 6,681,821 B1).

The Director is authorized to charge the \$165.00 fee [37 C.F.R. § 1.17(b)] for filing this Notice of Appeal (as well as any additional fees that may be due, or credit any overpayment of same) to Deposit Account No. 033975 (Ref. No. 042013-0311336). A duplicate copy of this Notice is enclosed.

Date: September 14, 2004

Respectfully submitted,  
PILLSBURY WINTHROP LLP

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